

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, February 13, 2012

Those Present: Mr. James E. McClellan, Chairman
Mr. Charles R. Cline, Board Member
Mr. Richard E. Zimmerman, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman McClellan.

1. **Draft Response Letter for Senate Bill 321** – Ms. Vahle asked the Board if there were any changes for this letter. Mr. Zimmerman asked her to add a sentence on Page 2 regarding the need for approval by the Board and the need for two week's notice prior to the event.
2. **Mistero** – Ms. Vahle stated she received a request from this establishment for entertainment between 10PM and 12:30AM. This has been approved by Zoning.

MOTION ONE: Mr. Zimmerman made a motion for approval.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. ***Aye – 3 Nay – 0***
(Motion Passed)

3. **Manny Mart** – Ms. Vahle stated she received a letter from an attorney who represents a wholesaler at P. Winter saying that Manny Mart owes them \$308.47. One of the conditions that needs

to be met before the Hearing is a Bulk Transfer Affidavit that discloses any debts. This has not yet been submitted so it will be a pending item.

4. **SOS Music Fest** – Ms. Vahle stated she received a request from the Canal Bar & Grill for an event on March 4th. It is being presented in conjunction with the Green Turtle, however the Green Turtle has not submitted a request yet. Admission fee will be \$15 to include one drink for each establishment. These establishments will donate a percentage of the proceeds to go towards purchasing cameras and lighting for Citizen's Way. Griff's Landing is also posting a different event on their website on the same day saying their event is better and to come to that event.

MOTION ONE: Mr. Cline made a motion for approval for Canal's request.

SECOND: Mr. Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Zimmerman – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

5. **Canal Bar & Grill** - Ms. Vahle stated she had another request from this establishment for a fundraising event called Cocktails for a Cause on March 14th with a \$15 admission fee that would include one ticket for one beverage and the remainder of the money would go to Camp Jamie a Hospice camp for children.

MOTION ONE: Mr. Zimmerman made a motion for approval.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

6. Decision Required: Transfer

TRANSFER FROM:

RE: Thavy El for the use of
Cambodiana Inc.
t/a DJ Liquors
1306 W. Patrick St.
Suite 13
Frederick, MD 21703

Class A, Off Sale, Beer, Wine & Liquor,
Sunday Permit

TRANSFER TO:

RE: Thavy El, Yogeshkomar
Patel, Kiritsinh Parmar
for the use of Oaktree
Liquors, LLC
t/a DJ Liquors
1306 W. Patrick St.
Suite 13
Frederick, MD 21703

Class A, Off Sale, Beer, Wine & Liquor
Sunday Permit

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the final Lease, Worker's Compensation Insurance, the Occupancy Permit, the Taxes, Bulk Transfer Permit, Bulk Transfer Act. Ms. Vahle stated they did not need a Bulk Transfer permit and Bulk Transfer Affidavit because it was the same entity. Mr. Patel, one of the applicants was also on a liquor license in Ohio with one violation for Sales to Minors. The licensee stated they are waiting for final inspections and taxes have been paid. The Liquor Inspector stated they are compliant, but would like their work schedule kept up-to-date and also keep the Regulations on hand.

MOTION ONE: Mr. Cline made a motion for a conditional approval for February 29, 2012.

SECOND: Mr. Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline - Aye
Mr. Zimmerman – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

5. Decision Required: New

RE: Paul diFrancesco, Angel
Diaz and R. Axel Hansen for
the use of Los Toltecos of
Frederick Inc.
t/a Los Toltecos
1305 W. 7th Street Suite 19
Frederick, MD 21702
Class B, On Sale, Beer, Wine and Liquor

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Retail Sales Tax License, Alcohol Awareness, Zoning, Health Department, Occupancy Permit, the Fire Marshal and the Liquor Inspector's report. They are still under construction and expect to open some time in April.

MOTION ONE: Mr. Zimmerman made a motion for a conditional approval for May 21, 2012.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman - Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

6. Decision Required: Transfer

TRANSFER FROM:

RE: Harpreet Gulati for the
use of Manny-Mart LLC

t/a Manny-Mart
119 A South Market St.
Frederick, MD 21701
**Class A, Off Sale, Beer Only
Sunday Permit**

TRANSFER TO:

RE: Michael D. Allen Jr. for
the use of Joey &
Johnny's LLC
t/a Manny Mart
119 A South Market St.
Frederick, MD 21701
**Class A, Off Sale, Beer Only
Sunday Permit**

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The pending items are: the Retail Sales Tax License, the Occupancy Permit, the Fire Marshal, the taxes, the Bulk Transfer Affidavit, Bulk Transfer permit. A letter from an attorney who represents FP Winter was sent to Ms. Vahle regarding a balance that is due. The Bulk Transfer Affidavit is required before a license can be issued that will disclose this delinquency. The Liquor Inspector stated they are compliant.

MOTION ONE: Mr. Cline made a motion for a conditional approval for February 29, 2012.

SECOND: Mr. Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline - Aye
Mr. Zimmerman – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

7. Decision Required: approval of the Minutes of the Public Meeting for February 6, 2012 to be voted on by the Board.

The Public Meeting Minutes of February 6, 2012 were approved.

MOTION: Mr. Zimmerman made a motion to approve the minutes for February 6, 2012.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman - Aye
Mr. Cline-Aye
Mr. McClellan - Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:32 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees